

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Brett Douglas McDowell,

Movant,

v.

Lively v. Wayfarer Studios LLC, et al.,

Case No. 1:24-cv-10049

NOTICE REGARDING FILING CONDITIONS

Movant respectfully notifies the Court that a mechanical failure in the HVAC system of the building where filings are being prepared has materially affected working conditions over the past several days. This failure is likely related to recent air quality issues in Winnipeg, which may have compromised air handling systems. In addition, availability of HVAC replacement parts has been limited due to regional demand and ongoing supply chain delays, resulting in continued disruption.

While this does not excuse any drafting oversight, these conditions have significantly impacted Movant's ability to work consistently and comfortably during critical filing periods. A clarification regarding a previously submitted filing is being submitted concurrently in good faith to ensure the record remains accurate.

Movant appreciates the Court's understanding and affirms continued efforts to meet all procedural responsibilities despite these challenges.

Respectfully submitted,

/s/ Brett Douglas McDowell

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Dated: June 24, 2025